

Remarks

Applicants hereby add new claims 42-43 which are supported at least by Figs. 4-6 and the associated teachings of the specification.

Claims 1, 2, 33, 35 and 40 stand rejected under 35 USC 103(a) for obviousness over U.S. Patent No. 6,075,905 to Herman in combination with U.S. Patent No. 6,411,742 B1 to Peterson. Claims 5, 34, and 37-39 stand rejected under 35 USC 103(a) for obviousness over Herman in combination with Peterson and further in view of U.S. Patent Publication No. 2003/0235344 A1 to Kang et al. Claims 5 and 8 stand rejected under 35 USC 103(a) for obviousness over Herman in combination with Peterson and further in view of U.S. Patent Publication No. 2003/0076406 A1 to Peleg et al. Claims 6, 7, 14, and 15 stand rejected under 35 USC 103(a) for obviousness over Herman in combination with Peterson and further in view of U.S. Patent No. 6,549,651 B2 to Xiong. Claims 9-11 and 36 stand rejected under 35 USC 103(a) for obviousness over Herman in combination with Peterson and further in view of "Color Correction for an Image Sequence" to Pham et al. and Kang. Claims 12 and 13 stand rejected under 35 USC 103(a) for obviousness over Herman in combination with Peterson and Pham and further in view of Kang and further in view of Xiong. Claim 16 stands rejected under 35 USC 103(a) for obviousness over Peterson in view of Kang. Claims 17-20 stand rejected under 35 USC 103(a) for obviousness over Peterson and Kang and further in view of Xiong. Claims 21 and 22 stand rejected under 35 USC 103(a) for obviousness over Peterson in combination with Peleg and Pham. Claim 23 stands rejected under 35 USC 103(a) for obviousness over Peterson in combination with Peleg and Pham and further in view of Kang. Claims 24 and 25 stand rejected under 35 USC 103(a) for obviousness over Peterson in combination with Peleg and Pham and further in view of Kang and Xiong. Claim 26 stands rejected under 35 USC 103(a) for obviousness over Peterson in combination with Peleg and Pham. Claim 27 stands rejected under 35 USC 103(a) for obviousness over Kang. Claims 28-32 stand rejected under 35 USC 103(a) for obviousness over Kang in combination with Peterson.

Applicants respectfully request reconsideration of the rejections.

Referring to independent claim 1, the claim recites *selecting a strip in each of*

the two images where the two images overlap each other and determining differences between the overlapping two strips. The Office recites limitations in col. 2, line 58 and col. 9, line 43 of Herman as teaching the above-recited limitations, respectively. The teachings in col. 2 relied upon by the Office are directed towards selection of regions (step 104 of Fig. 1) while the teachings of col. 9 are used for adjusting alignment of the images of step 103 prior to the selection of regions of step 104. There is no teaching that the alignment error of col. 9 for the alignment process relates in any way to the selected regions, and furthermore, Applicants respectfully submit such interpretation is non-sensical since calculation of alignment error of col. 9 occurs prior to the selection of the regions. In addition, col. 9 teaches that the alignment error is calculated, for example, based upon the sum of squared difference of image intensities in the “overlapping area” with no teaching with respect to strips or determining differences between two strips.

Applicants respectfully submit that positively-recited limitations of the claims are not disclosed nor suggested by the prior art and the 103 rejection of claim 1 is in error for at least this reason.

Furthermore, claim 1 recites *determining a line through the overlapping strips where the differences between the overlapping strips are minimized.* The teachings in col. 5, lines 17+ and Fig. 3C of Peterson relied upon by the Office disclose a dividing-line determiner 54 which determines a pair of points 76, 78 where the images intersect and defines a line 80 that divides the outline into two sections. Referring to Fig. 3A (step 214), Peterson merely teaches that the *two intersection points that are furthest apart from each other are used to define the dividing line 80* per col. 5, lines 34+ with no teaching to differences between the overlapping two strips or determining the line where the differences between the overlapping strips are minimized as claimed. Furthermore, the teachings of Figs. 3C and 3C-1 regarding the line 80 and subsequent processing thereof in the transition band 104 corresponding to the already selected line 80 fail to disclose *determining a line through the overlapping strips where the differences between the overlapping strips are minimized.* Accordingly, Peterson teaches that a line is drawn based upon the intersection points of the images, and selecting the longest line between intersection points of the images, and fails to refer to any teachings of *differences* between overlapping strips or that the line is determined through the overlapping

strips where the differences between the overlapping strips are minimized.

Applicants respectfully submit that positively-recited limitations of claim 1 are not disclosed nor suggested by the prior art and the 103 rejection of claim 1 is in error for at least this reason.

The claims which depend from independent claim 1 are in condition for allowance for the reasons discussed above with respect to the independent claim as well as for their own respective features which are neither shown nor suggested by the cited art.

Referring to independent claim 16, the method recites *determining a line through the selected overlapping strips where differences between the selected overlapping strips are minimized*. However, the dividing line determiner 54 determines a pair of points 76, 78 where the images intersect and defines a line 80 that divides the outline into two sections. Referring to Fig. 3A (step 214), Peterson merely teaches that the *two intersection points that are furthest apart from each other are used to define the dividing line 80* per col. 5, lines 34+ with no teaching of the claimed limitations of *determining a line through the selected overlapping strips where differences between the selected overlapping strips are minimized* as claimed.

Applicants respectfully submit that positively-recited limitations of claim 16 are not disclosed nor suggested by the prior art and the 103 rejection of claim 16 is in error for at least this reason.

The claims which depend from independent claim 16 are in condition for allowance for the reasons discussed above with respect to the independent claim as well as for their own respective features which are neither shown nor suggested by the cited art.

Referring to independent claim 21, the system comprises a *computer configured to determine a line through the overlapping strips where the sum of the pixel difference values between the overlapping strips is minimized*. The Office relies upon the teachings of the dividing line determiner 54, and the teachings in col. 15, lines 17+ and Figs. 3C and 3C-1 as allegedly teaching the above-recited limitations. The disclosed dividing-line determiner 54 determines a pair of points 76, 78 where the images intersect and defines a line 80 that divides the outline into two sections. Referring to Fig. 3A (step 214), Peterson merely teaches that the

two intersection points that are furthest apart from each other are used to define the dividing line 80 per col. 5, lines 34+ with no teaching of the limitations of the *computer configured to determine a line through the overlapping strips where the sum of the pixel difference values between the overlapping strips is minimized.* Furthermore, the teachings of Figs. 3C and 3C-1 regarding the line 80 and subsequent processing thereof in the transition band 104 corresponding to the already selected line 80 fail to disclose the above-recited limitations.

Applicants respectfully submit that positively-recited limitations of claim 21 are not disclosed nor suggested by the prior art and the 103 rejection of claim 21 is in error for at least this reason.

The claims which depend from independent claim 21 are in condition for allowance for the reasons discussed above with respect to the independent claim as well as for their own respective features which are neither shown nor suggested by the cited art.

Referring to independent claim 26, Applicants respectfully submit that the disclosed dividing-line determiner 54 which determines a pair of points 76, 78 where the images intersect and which are the farthest apart from each other and defines a line 80 that divides the outline into two sections and the teachings of Figs. 3C and 3C-1 regarding the line 80 and subsequent processing thereof in the transition band 104 corresponding to the already selected line 80 fail to disclose the positively-recited limitations of *means for determining a cut line through the two images where the difference values are minimized.*

Applicants respectfully submit that positively-recited limitations of claim 26 are not disclosed nor suggested by the prior art and the 103 rejection of claim 26 is in error for at least this reason.

Referring to independent claim 27, the generic teachings of the application programs 145, other program modules 146, and the images 200 of Kang fail to teach or suggest the claimed *first computing module dividing two images having overlapping content into strips along a common plane in at least one region of overlap.*

Applicants respectfully submit the 103 rejection of claim 27 is in error for at least this reason.

The teachings of paragraph 0058 and the image warping module 230 of

Kang are void of teaching or suggesting the claimed limitations of *a second computing module calculating difference values between the pixels of the two images in the at least one region of overlap.*

Applicants respectfully submit the 103 rejection of claim 27 is in error for at least this additional reason.

The teachings in paragraph 0057 of Kang are void of teaching or suggesting the claimed limitations that *the difference values individually correspond to a difference of image data content between a pair of corresponding pixels of the two images.*

Applicants respectfully submit the 103 rejection of claim 27 is in error for at least this reason.

The generic teachings of references 145, 146 and the image warping module 230 fail to teach or suggest the claimed limitations of *a third computing module determining a cut line through the two images where the difference values are minimized.*

Applicants respectfully submit that numerous positively-recited limitations of claim 27 are not disclosed nor suggested by the prior art and the 103 rejection is in error.

The claims which depend from independent claim 27 are in condition for allowance for the reasons discussed above with respect to the independent claim as well as for their own respective features which are neither shown nor suggested by the cited art.

Referring to independent claim 33, Applicants respectfully submit the teachings of col. 9 of Herman are used for adjusting alignment of the images of step 103 prior to the selection of regions of step 104 which fails to teach the claimed limitations of *determining the differences between the overlapping two strips.*

Applicants respectfully submit the 103 rejection of claim 33 is in error for at least this reason.

In addition, Applicants respectfully submit that the disclosed dividing-line determiner 54 which determines a pair of points 76, 78 where the images intersect and which are the farthest apart from each other and defines a line 80 that divides the outline into two sections and the teachings of Figs. 3C and 3C-1 regarding the

line 80 and subsequent processing thereof in the transition band 104 corresponding to the already selected line 80 fail to disclose the positively-recited limitations of *determining a line through the overlapping strips where the differences between the overlapping strips are minimized.*

Applicants respectfully submit that numerous positively-recited limitations of claim 33 are not disclosed nor suggested by the prior art and the 103 rejection is in error.

The claims which depend from independent claim 33 are in condition for allowance for the reasons discussed above with respect to the independent claim as well as for their own respective features which are neither shown nor suggested by the cited art.


Applicants note that no specific rejection has been presented against claim 41. In particular, claim 41 is recited on page 30 of the Office Action under paragraph 16 pertaining to 103 rejections under the sole Kang reference but the Office fails to identify any teachings of Kang and instead recites teachings of Peterson. The Action is void of identifying which combination of references including Peterson is considered to obviate claim 41. Applicants respectfully request issuance of a non-final Action if claim 41 is not allowed so Applicants may properly respond during the prosecution of this application.

Applicants respectfully request allowance of all pending claims.

The Examiner is requested to phone the undersigned if the Examiner believes such would facilitate prosecution of the present application. The undersigned is available for telephone consultation at any time during normal business hours (Pacific Time Zone).

Respectfully submitted,
D. Amnon Silverstein et al.

By:


James D. Shaurette
Reg. No. 39,833
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